

DEBEVOISE, Senior District Judge

Plaintiff, Andrew Walzer, filed a complaint with this court on November 17, 2004. His claim was dismissed in an order dated June 30, 2005. Since then, Plaintiff has filed numerous motions, including three motions for reconsideration and five motions in which he sought extensions of time to file various papers. Each motion was dismissed or denied. Following each dismissal and denial, including the dismissal of his claim, Plaintiff filed a notice of appeal.

Plaintiff has now filed a motion requesting corrections to the docket in this case. Specifically, he requests (1) that his reply brief, currently listed as having been filed on June 20, 2005 and listed as #19 on the docket, be listed as having been filed on April 25, 2005; (2) that a discovery request that does not appear on the docket be filed and dated June 24, 2005; (3) that a motion for reconsideration, #58 on the docket, be listed as having been filed on November 8, 2005; (4) that his motion for reargument, #28 on the docket, listed as having been filed on July 18, 2005, be listed as having been filed on July 10 or July 11; (5) that a certification of service previously filed be replaced with one that Plaintiff submitted with this motion because the prior certification contains mistakes.

DISCUSSION

Plaintiff's 1st Request

As to Plaintiff's first request, Plaintiff states that he mailed copies of his brief to chambers on April 25, 2005, with a note asking the Judge's law clerk to file a copy with the Clerk's office. The brief was not filed until June 20, 2005 and Plaintiff asks that the date on which it was filed be changed to April 25, 2005, the date it was mailed. Under L. Civ. R. 7.1(d)(3) the moving party is responsible for delivering a reply brief to the Clerk's office. The judge's law clerk is not responsible for filing papers that are mailed directly to chambers.

Therefore, Plaintiff's first request is denied.

Plaintiff's 2nd Request

As to Plaintiff's second request, Plaintiff has attached a copy of a discovery request, attached to this motion as exhibit 2, that is stamped as having been received by the Clerk's office on June 24, 2005 at 3:30 pm. That request, however, does not appear on the docket. As it appears that Plaintiff did in fact file his request on June 24, 2005, and that the request was never docketed, and as Defendants do not object to Plaintiff's request to have the request filed on the above date, Plaintiff's second request is granted.

Plaintiff's 3rd Request

As to Plaintiff's third request, Plaintiff states that one of his motions for reconsideration was filed on November 9, 2005 but should have been filed on November 8, 2005. As the docket already lists this motion, #58 on the docket, as having been filed on November 8, 2005, Plaintiff's request is moot and is therefore dismissed.

Plaintiff's 4th Request

As to Plaintiff's fourth request, Plaintiff states that he faxed a motion for reargument, along with various supporting papers, to chambers on July 10, 2005 and that his motion should therefore have been filed on that date. However, the motion papers were not filed with the Clerk's office until July 18, 2005. As per L. Civ. R. 7.1(d), motion papers are filed when they are received by the Clerk's office. Therefore, Plaintiff's fourth request is denied.

Plaintiff's 5th Request

As to Plaintiff's fifth request, Plaintiff seeks to replace a previously filed certification of service with one that Plaintiff submitted with this motion, because the prior certification contains mistakes. While Plaintiff is free to file an amended version of those papers, the court cannot

replace a previously filed document with one submitted at this time. Therefore, Plaintiff's fifth request is denied.

CONCLUSION

_____ For the reasons set forth above, Plaintiff's First, Fourth and Fifth requests are denied, Plaintiff's Third request is dismissed as moot, and Plaintiff's second request is granted. The court will enter an order implementing this opinion.

/s/ Dickinson R. Debevoise

DICKINSON R. DEBEVOISE, U.S.S.D.J.

Dated: February 22, 2006